

II. REMARKS

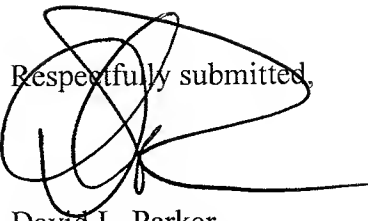
Applicants have already elected to proceed with the Group III invention, represented by claims 1-26, 29 and 30, without traverse.

With respect to the further election in response to the unity objection, Applicants make the following species elections without traverse:

- i) carboplatin
- ii) x-rays
- iii) head & neck cancer
- iv) an adenoviral construct
- v) viral
- vi) replication defective
- vii) CMV IE promoter
- viii) about 14
- ix) intratumoral

Applicants have therefore withdrawn claims 11, 13, 14, 16-19 and 21-24 as drawn to non-elected inventions, subject to re-joinder. Claims 1-10, 12, 15, 20, 25-26, 29 and 30 are pending and subject to examination.

The Examiner is invited to contact the undersigned attorney at (512) 536-3055 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,


David L. Parker
Reg. No. 32,165

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
512.474.5201 (telephone)
512.536.4598 (fax)

Date: October 7, 2010